1	Susan E. Firtch, CASB# 154624 Eva P. Kwan, CASB# 246034						
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8	Attorneys for Defendant MARKEL INSURANCE COMPANY						
9	MARKEL INSUKANCE CUMPAN I						
10	UNITED STATES DISTRICT COURT						
11	NORTHERN DISTRICT OF CALIFORNIA						
12							
13	CITI APARTMENTS, INC.; PRIME APARTMENT PROPERTIES, LLC; PRIME APARTMENT PROPERTIES I, LLC;						
14	RMSV BAY CITI PROPERTIES I DE, LLC; STIPULATION AND ORDER TO						
15		CITI PROPERTIES I, LLC; DE, LLC; TROPHY	DEEM C	CASES RELATED			
	PROPERTIES	S, VI, LLC; LRL CITI	T., J	Han Classic William			
16 17		S I DE, LLC; FRANK LEMBI; MBI; ANDREW J.	Judge: Dept.:	Hon. Claudia Wilken Courtroom 2			
18	,	Plaintiffs,					
		Fiamuris,					
19	V.						
20	MARKEL INSURANCE COMPANY; and DOES 1 through 100, inclusive,						
21		Defendants.					
22							
23	_						
24	IT IS HEREBY STIPULATED between Plaintiffs CITI APARTMENTS, INC.; PRIME						
25	APARTMENT PROPERTIES, LLC; PRIME APARTMENT PROPERTIES I, LLC; RMSV						
26	BAY CITI PROPERTIES I DE, LLC; RMSV BAY CITI PROPERTIES I, LLC; 124 MASON,						
27	DE, LLC; TROPHY PROPERTIES, VI, LLC; LRL CITI PROPERTIES I DE, LLC; FRANK						
28	LEMBI; WALTER LEMBI; ANDREW J. HAWKINS ("Plaintiffs") and Defendant MARKEL						
	STIPULATION RELATED	AND ORDER TO DEEM CASES	1	No. C 06-05752 CW			

1	INSURANCE COMPANY that:					
2	1. Pursuant to Civil L.R. 3-12(a	a), the action entitled Citi Apartmen	nts, Inc. et al v.			
3	Markel Insurance Company, United States District Court for the Northern District of California,					
4	San Francisco Division, Case No. C 06-07086 ("the Moninger Coverage Action") is related to					
5	the above-captioned case;					
6	2. The Moninger Coverage Action concerns the same Defendant and several of the					
7	same Plaintiffs as the above captioned case; the Plaintiffs and Defendant in the Moninger					
8	Coverage Action are represented by the same Plaintiffs' Counsel and Defense Counsel as in the					
9	above-captioned case; and the Moninger Coverage Action concerns many of the same					
10	substantive issues as in the above-captioned case.					
11	3. It appears likely that there will be an unduly burdensome duplication of labor and					
12	expense or conflicting results if the Moninger Coverage Action and the above-captioned case are					
13	conducted before different Judges; and					
14	4. Accordingly, the Moninger Coverage Action shall be reassigned to Judge Claudia					
15	Wilken, the Assigned Judge for the above-captioned case.					
16						
17	IT IS SO STIPULATED.					
18						
19	DATED: February 13, 2007	BURNHAM BROWN				
20						
21		By				
22		EVA P. KWAN Attorneys for Defendant				
23		MARKĚL INSURANCE COM	MPANY			
24						
25	DATED: February 13, 2007	GUY KORNBLUM & ASSOCIA	ATES			
26						
27		By WALTER G. CRUMP				
28		Attorneys for Plaintiffs				
	STIPULATION AND ORDER TO DEEM CASES	2	No. C 06-05752 CW			

1	<u>ORDER</u>						
2							
3	PURSUANT TO THE PARTIES' STIPULATION SET FORTH ABOVE AND GOOD						
4	CAUSE BEING SHOWN THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS: the						
5	action entitled Citi Apartments, Inc. et al v. Markel Insurance Company, United States District						
6	Court for the Northern District of California, Case No. C 06-07086, shall be reassigned to the						
7	Honorable Claudia Wilken, the Assigned Judge for the above captioned case.						
8	2/14/07						
9	Dated:						
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11	Cardieleit						
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13	Hon. Claudia Wilken UNITED STATES DISTRICT JUDGE						
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